

1 WILLIAM A. ISAACSON (*Pro hac vice*)
(wisaacson@bsfllp.com)
2 STACEY K. GRIGSBY (*Pro hac vice*)
(sgrigsby@bsfllp.com)
3 NICHOLAS WIDNELL (*Pro hac vice*)
(nwidnell@bsfllp.com)
4 BOIES SCHILLER FLEXNER LLP
1401 New York Avenue, NW
5 Washington, DC 20005
Tel: (202) 237-2727; Fax: (202) 237-6131
6

7 RICHARD J. POCKER #3568
(rpocker@bsfllp.com)
8 BOIES SCHILLER FLEXNER LLP
300 South Fourth Street, Suite 800
Las Vegas, Nevada 89101
9 Tel: (702) 382-7300; Fax: (702) 382-2755

10 DONALD J. CAMPBELL #1216
(djcc@campbellandwilliams.com)
11 J. COLBY WILLIAMS #5549
(jcw@campbellandwilliams.com)
12 CAMPBELL & WILLIAMS
700 South 7th Street
13 Las Vegas, Nevada 89101
Tel: (702) 382-5222; Fax: (702) 382-0540
14

15 *Attorneys for Defendant Zuffa, LLC, d/b/a*
Ultimate Fighting Championship and UFC
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17 **UNITED STATES DISTRICT COURT**

18 **DISTRICT OF NEVADA**

19 Cung Le, Nathan Quarry, Jon Fitch, Brandon
20 Vera, Luis Javier Vazquez, and Kyle Kingsbury,
on behalf of themselves and all others similarly
21 situated,

22 Plaintiffs,

23 v.

24 Zuffa, LLC, d/b/a Ultimate Fighting
Championship and UFC,

25
26 Defendant.
27
28

No.: 2:15-cv-01045-RFB-(PAL)

**DECLARATION OF STACEY K.
GRIGSBY IN SUPPORT OF ZUFFA,
LLC'S PROPOSAL REGARDING
THE TREATMENT OF PROTECTED
MATERIAL FOR THE
EVIDENTIARY HEARING ON
CLASS CERTIFICATION**

1 I, Stacey K. Grigsby, declare as follows:

2 1. I am a member in good standing of the bar of the District of Columbia and the bar of
3 the State of New York. I am admitted *pro hac vice* to practice before this Court. I am a Partner in
4 the law firm Boies Schiller Flexner LLP (“BSF”), counsel for Zuffa, LLC (“Zuffa”) in the above
5 captioned action in the U.S. District Court for the District of Nevada, *Le et al. v. Zuffa, LLC*, No.
6 2:15-cv-01045-RFP-PAL.

7 2. I make this declaration in support of Zuffa’s Proposal Regarding the Treatment of
8 Protected Material for the Evidentiary Hearing on Class Certification. Based on my personal
9 experience, knowledge, and review of the files, records, and communications in this case, I have
10 personal knowledge of the facts set forth in this Declaration and, if called to testify, could and would
11 testify competently to those facts under oath.

12 3. Counsel for Zuffa have met and conferred with counsel for Plaintiffs telephonically
13 three times in an effort to reach an agreement about sealing parameters for the evidentiary hearing.
14 Counsel for Zuffa met and conferred with counsel for Plaintiffs first on December 20, 2018, second
15 on December 27, 2018, and third on January 4, 2019.

16 4. During the three meet and confer sessions, I asked counsel for Plaintiffs whether
17 Plaintiffs would be amenable to agreeing to keep any material Zuffa designated as confidential under
18 seal. Other than as listed below, Plaintiffs stated then—and have since maintained the position—that
19 they did not believe any of Zuffa’s material was properly filed under seal. As a result, I concluded
20 that we were at an impasse.

21 5. After our three meet and confer sessions, on January 7, 2019, Plaintiffs told me that
22 they were amenable to two sets of compromises regarding material that should be protected from
23 public disclosure.

24 6. First, Plaintiffs agreed to keep confidential “information relating to the specifics of
25 individual fighter’s compensation” unless the athletes at issue have consented to disclosure.

26 7. Second, while claiming that “Zuffa’s negotiating position with fighters is not
27 confidential,” Plaintiffs agreed that “[t]o the extent that any documents or information reference
28 individual fighters, Plaintiffs would agree (absent specific consent from the fighter) to redact the

1 fighter(s)' name in open court, but otherwise do not agree to limit disclosure of this information."

2 8. In their January 7, 2019 communication, Plaintiffs stated that they believed that
3 Zuffa's event level revenue information was not confidential, that they did "not believe that wage
4 share information of any promoter should be confidential," and that "expert reports and
5 testimony"—other than references to individual athlete compensation—are not confidential.

6 9. Plaintiffs have never attempted to begin any challenges to Zuffa's confidentiality
7 designations as provided for in paragraph six of the Protective Order currently in force, ECF No.
8 217.

9 10. To the best of my knowledge and belief, Plaintiffs have not attempted to begin any
10 challenges to a non-party's confidentiality designations as provided for in paragraph six of the
11 Protective Order currently in force, ECF No. 217.

12
13 I declare under penalty of perjury under the laws of the United States of America that the
14 foregoing facts are true and correct. Executed this 9th day of January, 2019 in Washington, DC.

15
16 /s/ Stacey K. Grigsby

17 Stacey K. Grigsby
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